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Attorneys for JanOne Inc., and Virland A. Johnson

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

LIVE VENTURES INCORPORATED;
JANONE INC. (f/k/a Appliance Recycling
Centers of America, Inc.); JOHN ISAAC a/k/a
JON ISAAC; KINGSTON DIVERSIFIED
HOLDINGS LLC; and VIRLAND A.
JOHNSON,

Defendants.

Case No. 2:21-cv-01433-JCM-MDC

PARSONS BEHLE & LATIMER'S
AMENDED MOTION
TO WITHDRAW AS COUNSEL OF
RECORD AND REMOVE COUNSEL
FROM THE SERVICE LIST

In furtherance of the Court's Order dated March 26, 2024, counsel Ethan Foster and Brennan Curtis of the law firm Parsons Behle & Latimer move to withdraw as counsel of record for Defendant Virland A. Johnson ("Mr. Johnson"), in accordance with Local Rule IA 11-6 of the United States District Court Rules for the District of Nevada. This Motion is based on the following Memorandum of Points and Authorities.

MEMORANDUM OF POINTS AND AUTHORITIES

Parsons Behle & Latimer currently represents Defendants JanOne Inc. and Mr. Johnson in this matter. JanOne, Inc. has settled with the Securities and Exchange Commission ("SEC"), pending final approval by the SEC. Mr. Johnson has indicated that he no longer wishes to retain

1 Parsons Behle & Latimer (the “Firm”). On Friday, March 1, 2024, Mr. Brent Baker left Parsons
 2 Behle & Latimer. It is the understanding of the Firm that Mr. Baker, the primary attorney in this
 3 matter, will continue representation and will retain new local counsel in this matter as necessary.
 4 The Firm notified JanOne Inc., Mr. Johnson, and Mr. Baker of its intent to file this Motion on
 5 March 7, 2024. Moreover, this motion has been served on the affected clients in accordance with
 6 Local Rule 11-6(b), both by email and certified mail, proof of which is attached hereto as **Exhibit**
 7 **1**, and **Exhibit 2**, respectively.

8 Contact information for Mr. Baker and the parties are listed below:

9 Brent Baker
 60 E. South Temple, Suite 1200
 10 Salt Lake City, UT 84111
 Telephone: 801-401-8616
 11 bbaker@buchalter.com

12 JanOne Inc.
 Attn: Tony Isaac
 325 E Warm Springs Road, Suite 102
 13 Las Vegas, NV 89119
 Telephone: 702.997.5968
 14 Email: t.isaac@isaac.com

15 Virland A. Johnson
 16 JanOne Inc.
 325 E Warm Springs Road, Suite 102
 17 Las Vegas, NV 89119
 Telephone: 702.997.5968
 18 Email: v.johnson@isaac.com

19 This Motion is made pursuant to Local Rule IA 11-6 and with respect to JanOne Inc. will
 20 not result in delay of discovery, the trial, or any hearing in the case. *See* LR IA 11-6(e). It is
 21 expected the SEC will approve the settlement, which will result in dismissal against JanOne Inc.
 22 In the meantime, Mr. Baker and his new local counsel will continue to represent JanOne Inc. It is
 23 the Firm’s understanding that Mr. Johnson has expressed his desire for the Firm to cease
 24 representation. Accordingly, there is good cause to grant Parsons Behle & Latimer’s Amended
 25 Motion to Withdraw with respect to Mr. Johnson.

26 . . .

27 . . .

28 . . .

1 For these reasons, counsel respectfully requests the Court grant this Motion and issue an
2 Order permitting Ethan Foster, Esq. and Brennan Curtis, Esq. to withdraw from this matter and
3 directing the Clerk of the Court to make such changes to the docket and CM/ECF system as
4 necessary.

5 Dated this 27th day of March, 2024.

6 PARSONS BEHLE & LATIMER

7 /s/ Ethan Foster

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19 *Attorneys for JanOne Inc. and Virland A. Johnson*

20 IT IS SO ORDERED. This motion is unopposed and the time to do so has passed.
21 The motion is GRANTED.

22 
23 _____
24 Hon. Maximiliano D. Couvillier III
25 United States Magistrate Judge
26 Dated: 4/18/24
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